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February 10, 2023

The Honorable Jed S. Rakoff
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Ex Parte CJA Request

RE: United States v. Jatiek Smith, et al., 22 Cr. 352-01 (JSR)

Your Honor:

I am writing to respectfully request the appointment of a second attorney to assist me as co-counsel in the representation of Mr. Jatiek Smith, and of a forensic paralegal to assist in the analysis of the voluminous discovery in the case.

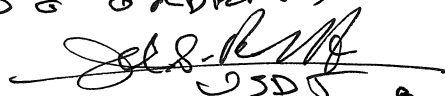
I was appointed on November 21, 2022 to replace private counsel as the attorney for Mr. Jatiek Smith. At that point in the history of the case there had been two trial dates set (which were later vacated) and discussions concerning the voluminous discovery that had already been provided by the government. One of the "productions" out of twelve that have been made to date consists of over fourteen terabytes of digital data, and many of the others would also be measured in the order of magnitude of terabytes of data.

On the date of my appointment I was also appointed on a case by another judge in the District which is a very time-demanding one. Both appointments came a relatively short time after the death of my father, and in addition to my work as a lawyer on the CJA panel, I now have a great deal to do as co-executor of his estate.

For those reasons I sought the assistance of another member of the CJA panel, Ms. Jill Shellow, who is available and willing to assist me, provided the Court grants this application,. Before making the request to the Court, however, I

→ Granted.

SO ORDERED



2-10-23

wanted her to meet the client, which she did with me at the MDC. Largely because of her assistance, the client – with whom my relationship was initially someone strained – is currently satisfied with my representation of him (as expressed in a letter he submitted directly to the Court), and Ms. Shellow has continued to advise me and my client on matters related to his defense. For that reason I would ask that the Court appoint her “*nunc pro tunc*” to December 13, 2022, when she first began to assist me on this matter.

In addition, Ms. Shellow has experience working with a paralegal which expertise in analyzing forensic digital discovery, Ms. Alexandra Mahnken, whose resume I am attaching. The document shows she has been appointed in other cases pursuant to the Criminal Justice Act. She has been approved for compensation at a rate of \$100 per hour and I am asking that she be appointed and approved at that rate for an initial estimate of 150 hours of work.

I thank your Honor very much for your consideration of this application.

Sincerely,

/s/ Thomas H. Nooter

Thomas H. Nooter

CJA Attorney for Jatiek Smith

cc: Jill R. Shellow, Esq., (by email)
Alexandra Mahnken, (by email)